

HOUSE BILL No. 2115

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-11-3-10; IC 11-12; IC 31-31-8-7; IC 31-31-9-12.

Synopsis: Phone system charges in prison. Prohibits the department of correction, county jails, community corrections facilities, and juvenile detention facilities and centers from profiting financially from providing telephone service to confined offenders. (The introduced version of this bill was prepared by the corrections matters evaluation committee.)

Effective: Upon passage.

Smith V, Ayres, Mahern

January 17, 2001, read first time and referred to Committee on Human Affairs.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 2115

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 11-11-3-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 10. The telephone calling system provided**
4 **for confined offenders may not require a confined offender to incur**
5 **a service charge or user fee greater than the allowable direct cost**
6 **to the department or other provider for delivering the service, as**
7 **determined by the state board of accounts. The department,**
8 **including any facility or employee of the department, may not**
9 **receive any:**
10 (1) fee;
11 (2) discounted service; or
12 (3) other consideration;
13 **from a vendor in return for use by a confined offender of the**
14 **vendor's telephone service.**
15 SECTION 2. IC 11-12-2-14 IS ADDED TO THE INDIANA CODE
16 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
17 UPON PASSAGE]: **Sec. 14. The telephone calling system provided**



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for confined offenders may not require a confined offender to incur a service charge or user fee greater than the allowable direct cost to the community corrections advisory board or other provider for delivering the service, as determined by the state board of accounts. The board or any community corrections program employee may not receive any:

- (1) fee;
- (2) discounted service; or
- (3) other consideration;

from a vendor in return for use by a confined offender of the vendor's telephone service.

SECTION 3. IC 11-12-4-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. The telephone calling system provided for confined offenders may not require a confined offender to incur a service charge or user fee greater than the allowable direct cost to the county jail or other provider for delivering the service, as determined by the state board of accounts. The county jail, including any jail officer or employee, may not receive any:**

- (1) fee;
- (2) discounted service; or
- (3) other consideration;

from a vendor in return for use by a confined offender of the vendor's telephone service.

SECTION 4. IC 31-31-8-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. The telephone calling system provided for confined offenders may not require a confined offender to incur a service charge or user fee greater than the allowable direct cost to the juvenile detention facility or other provider for delivering the service, as determined by the state board of accounts. The facility, including any facility employee, may not receive any:**

- (1) fee;
- (2) discounted service; or
- (3) other consideration;

from a vendor in return for use by a confined offender of the vendor's telephone service.

SECTION 5. IC 31-31-9-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. The telephone calling system provided for confined offenders may not require a confined offender to incur a service charge or user fee greater than the allowable direct cost**

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1 to the juvenile detention center or other provider for delivering the
2 service, as determined by the state board of accounts. The center,
3 including any center employee, may not receive any:

4 (1) fee;

5 (2) discounted service; or

6 (3) other consideration;

7 from a vendor in return for use by a confined offender of the
8 vendor's telephone service.

9 SECTION 6. An emergency is declared for this act.

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